

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL No. 1570 (RCC)

THOMAS E. BURNETT, SR., *et al.*,

Plaintiffs,

V.

C.A. No. 03 CV 9849 (RCC)

AL BARAKA INVESTMENT AND DEVELOPMENT
CORPORATION, *et al.*,

Defendants.

AFFIDAVIT OF KHALID BIN OBAID AZZAHRI

I, Khalid Bin Obaid Azzahri, being duly sworn, declare and state as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below of my own personal knowledge.

2. I have been informed by the attorney for Al Haramain Islamic Foundation (“Al Haramain”) that Al Haramain is a defendant (D54) in the above-captioned action. I am submitting this affidavit in support of Al Haramain’s Motion to Dismiss for (1) failure to state a claim upon which relief can be granted and (2) improper service of process. I currently serve as the General Manager of Al Haramain.

3. Al Haramain is a charitable and humanitarian organization whose purpose is to engage in Islamic call activities and to provide assistance to Muslims affected by disasters, natural and otherwise. It operates through branch offices in nearly 50 countries and employs a

staff of approximately 5,000, most of whom are teachers and lecturers. Al Haramain operates under the supervision of the Saudi Minister of Islamic Affairs, who appoints its Board of Directors and senior management personnel. Furthermore, Al Haramain continues to remain in good standing with the government of Saudi Arabia, as evidenced by a declaration dated March 21, 2004. See Declaration of Abdullah Mohammed Ibrahim Al Sheikh, Saudi Minister of Justice. (Attachment B).

4. Al Haramain has never supported the loss of innocent life and believes that there is no justification for the tragic attacks of September 11, 2001 (9-11 attacks). Al Haramain has never supported any person or organization that it knew to participate in terrorist activities.

3. The Third Amended Complaint in this case has several allegations about Al Haramain, but most are in error. See ¶¶154-179. As the attached correspondence to the United Nations and related attachment show, these allegations are based largely on uncorroborated media reports and classified government allegations. See Al-Debasi Letter to Kofi Annan Dated Mar. 3, 2004. (Attachment C).

5. Al Haramain also denies that it had any knowledge of the activities of Osama bin Laden, or al Qaeda other than what is generally known through the press. At no time did Al Haramain ever knowingly participate in, or support in any way, terrorist activities, nor were any of its worldwide branch offices authorized by Al Haramain, explicitly or implicitly, to engage in such activities.

6. Al Haramain also denies that it has knowledge of any terrorist activities as alleged in ¶¶ 17, 25, 26, 27, 30 and 31 of Plaintiffs' More Definite Statement as to Defendant Yousef Abdul Latif Jameel (Mar. 16, 2004), due largely to Plaintiff's lack of specificity and world-wide intelligence agency's use of secret evidence in its designation processes.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

A handwritten signature in blue ink, consisting of a large loop on the left and several sharp, angular strokes on the right.

Khalid Bin Obaid Azzahri
In his official capacity as the Financial & Administrative
Manager of Al Haramain

Executed on the 7 day of April, 2004.